

Appl. No. 10/023,187
Resp. Dated November 29, 2004
Reply to Office Action of September 8, 2004

Atty. Docket No. 5005.1013

2878

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Application of: Juergen HOFFMANN
Serial No.: 10/023,187 Confirmation No.: 3352
Filed: December 17, 2001
For: SCANNING MICROSCOPE
Art Unit: 2878
Examiner: Kevin Pyo
Customer No: 23280

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 30, 2004

AMENDMENT AND RESPONSE TO OFFICE ACTION

Sir:

In response to the office action dated September 8, 2004 received in the above-identified application, applicant hereby respectfully requests reconsideration of the application based on the following amendments and remarks.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims, which begins on page 4 of this paper.

Amendments to the Drawings being on page 6 of this paper and include two attached replacement sheets.

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Remarks begin on page 7 of this paper.

DEC 8- 2004

An **Appendix** including amended drawing figures is attached following page 9 of this paper.

TECH CENTER 2800

Mail Stop: AMENDMENT
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450



Docket No.: 5005.1013
 Date: November 30, 2004

In re application of: Juergen HOFFMANN, et al.
 Serial No.: 10/023,817
 Filed: December 17, 2001
 For: SCANNING MICROSCOPE

Sir:

Transmitted herewith is a **Response to Office Action (9 pages)** in the above-identified application.

- Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.
- Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.
- No fee for additional claims is required.
- A filing fee for additional claims calculated as shown below, is required:

(Col. 1)		(Col. 2)	
FOR:	REMAINING	HIGHEST	
	AFTER	PREVIOUSLY	PRESENT
AMENDMENT	PAID FOR	EXTRA	
TOTAL CLAIMS	* Minus 20 =	0	
INDEP. CLAIMS	* Minus 3 =	0	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

SMALL ENTITY	OR	LARGE ENTITY	
RATE		RATE	
x \$ 9	\$	x \$ 18	\$
x \$ 44	\$	x \$ 88	\$
+ \$150	\$	+ \$300	\$
TOTAL: \$		OR	
		TOTAL: \$	

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- Also transmitted herewith are:
 - Petition for extension under 37 C.F.R. 1.136
 - Other: **Two (2) Replacement Sheet Drawings**
- Check(s) in the amount of **\$0.00** is/are attached to cover:
 - Filing fee for additional claims under 37 C.F.R. 1.16
 - Petition fee for extension under 37 C.F.R. 1.136
 - Other:
- The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
 - Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 - Any patent application processing fees under 37 C.F.R. 1.17.
 - Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

W.C. Gehris
 William C. Gehris, Reg. No. 38,156
 (signing for Erik R. Swanson, Reg. No. 40,833)
 DAVIDSON, DAVIDSON & KAPPEL, LLC
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I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on November 30, 2004.

DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: *O. Platz*

Oliver Platz